

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 28, 1992
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:08 a.m.
The meeting was adjourned by Mayor O'Connor at 11:44 a.m. to
convene the Redevelopment Agency at 2:00 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-Present

(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-not present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-not present
(8) Council Member Filner-present
Clerk-Fishkin (so)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:
(M) Mayor O'Connor-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-not present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-not present
(8) Council Member Filner-not present

PUBLIC COMMENT:

None.

ITEM-310: WELCOMED

Welcoming a group of approximately 60 students from Sherman Elementary School, accompanied by their teacher Estella Martinez.

This group will arrive at approximately 10:30 a.m.
(District-8.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A329-349.)

ITEM-330: (O-92-97) HEARING HELD

First public hearing in the matter of:
Amending Ordinance No. O-17667 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending the personnel authorization of the Building Inspection Department 1300 to exempt a new Assistant Deputy Director position for the Plan Review Services Division from the Classified Service; and establishing a salary.

CITY MANAGER SUPPORTING INFORMATION: This Ordinance will exempt one Assistant Deputy Director from the Classified Service, effectively reclassifying an existing Structural Engineering Associate to Assistant Deputy Director in order to implement the reorganization of the Plan Review Division of the Building Inspection Department. This reorganization will result in improved functional control of program activity as well as correct an existing overlay broad span of control in the Plan Review Services Division. (See Memorandum to Civil Service Commission dated July 23, 1991.)

The Civil Service Commission reviewed this request pursuant to Charter Section 117 on August 1, 1991 and commented favorably on the proposed exemption.

NOTE: Today's action is the first public hearing. See the docket of Tuesday, February 4, 1992 for the introduction and adoption of the Ordinance.

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, January 28, 1992**

Page 3

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A036-061.)

Hearing began at 10:10 a.m. and halted at 10:12 a.m.

MOTION BY STALLINGS TO APPROVE THE FIRST HEARING. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-331: (O-92-51) CONTINUED TO FEBRUARY 4, 1992 AT 10:00 A.M.

Proposal to amend Chapter X, Article 1 of the San Diego Municipal Code to establish a minimum vertical buffer between the height of new structures and the airport approach paths established by the Federal Aviation Administration for Lindbergh Field. The proposed amendments may limit the height of new construction under the aircraft approach paths to Lindbergh Field. The approximate area that may be subject to new height restrictions is shown in Figure 1.

The proposed amendments also constitute amendments to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendments must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission. (District-2.)

Introduction of an Ordinance amending the Municipal Code relating to the Airport Overlay Zone.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A062-B402.)

Hearing began at 10:12 a.m. and halted at 11:43 a.m.

Councilmember Filner entered at 10:35 a.m. and left at 10:40 a.m.

Testimony in favor by Joseph Hall, Phillip Milgram, M.D.,

Rod MacDonald, Homer Delawie, Capt. Bob Granville, James Milch, Gaetan Mauris and Hedy St. John.

Testimony in opposition by Dan Wilkens, Marty Bohl, Rebecca Michael and Tom Fat.

Motion by Roberts to introduce the ordinance as amended to include the alternative language proposed by the City Attorney establishing guidelines to exempt projects that have already obtained building permits and had permits from the SANDAG Land Use Commission and from the FAA prior to August 1, 1991 and are in a position to pull building permits prior to January 28, 1995 (those buildings in the apron areas, not in the yellow flight path). Allow these projects to go ahead in conformance with those permits already obtained before the Ordinance goes into effect in 30 days. All inverse condemnation negotiations shall be successfully concluded with the Port District prior to the second reading of the ordinance. Second by Stevens. Failed by the following vote: Yeas-2,4,5,M. Nays-1,6. Not present-3,7,8.

MOTION BY ROBERTS TO CONTINUE TO FEBRUARY 4, 1992 AT 10:00 A.M. FOR A FULL COUNCIL. Second by Behr. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-332: CONTINUED TO FEBRUARY 12, 1992 AT 11:00 A.M.

Appeal of the request of Don Hawthorne & Jim Siler, by Michel Anderson, for a hearing of an appeal from the decision of the Planning Commission in denying Coastal Development and Conditional Use Permits CDP/CUP-91-0469, proposing to replace a previously existing garage and guest quarters with a new 792 square-foot, three car garage and a 714 square-foot guest quarters. The subject property totals approximately 12,065 square-feet and is located at 927 Sunset Cliffs Boulevard, in Zone R1-5000, in the Peninsula Community Plan area. The subject property is further described as Lot 14 of Block "L" of Azure Vista, Map-1981.
(CDP/CUP-91-0469. District-2.)

Subitem-A: (R-92-)

Adoption of a Resolution granting or denying the appeal and granting or denying the coastal development permit, with appropriate findings to support Council action.

Subitem-B: (R-92-)

Adoption of a Resolution granting or denying the appeal and granting or denying the conditional use permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - CDP/CUP 91-0469

COUNCIL ACTION: (Tape location: A019-034.)

MOTION BY ROBERTS TO CONTINUE TO FEBRUARY 12, 1992 AT THE REQUEST OF THE APPLICANT AND THE APPELLANT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-CS-1: (R-92-1122) ADOPTED AS RESOLUTION R-279364

A Resolution adopted by the City Council in Closed Session on January 28, 1992:

Authorizing the City Manager to pay the total sum of \$4,830 in the settlement of each and every claim against the City, its agents and employees, resulting from property damage to Agnes Landis; authorizing the City Auditor and Comptroller to issue one check in the amount of \$4,830 made payable to Agnes Landis in full settlement of all claims.

Aud. Cert. 9200540

FILE LOCATION: Meet

NON-DOCKET ITEMS:

None.

Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, January 28, 1992

Page 6

COUNCIL COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 11:44 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B402.)